

CITY OF LOGAN
CITY COUNCIL MEETING
CITY HALL, 108 W. 4TH STREET
September 24, 2012

At 7:00 P.M. Mayor Fetter called the meeting to order. Those present were Council Members Clark, Johnson, Foutch, Lefeber and Crum.

Mayor Fetter asked if there were any amendments or removals to the agenda and stated that item 13, Chamber update, will be removed because Chris Hartwig said they don't have any updates. Motion was made by Johnson and seconded by Clark to approve the agenda minus item 10. Johnson stated that it is inappropriate to have that discussion based on the communication from the city's attorney. Foutch stated that there is a difference between discussion and listening to the citizen's concerns. He stated that it is difficult due to litigation issues, which the attorneys are handling, but his point was that he would like to hear Ms. Fliehe's and the citizen's comments. Clark stated that since Ms. Winther had her hearing, everyone has had time to ask questions, and she feels it would be ridiculous to go over it again. 3 ayes. Foutch and Crum voted nay.

Next on the agenda was to approve the consent agenda which consisted of approving the minutes of the 9-6-12 special city council meeting and minutes from the 9-10-12 regular city council meeting, set a date of Monday, October 8, 2012 for a regular city council meeting, approve the Claims Register and approve building permits for Todd Baber, 305 N. 2nd Ave., fence; Ardithe Bosworth, 119 W. 4th St., deck with ramp; Don Hekter, 204 E. 8th St., garage and ramp. Foutch stated that Monday, October 8, 2012 is Columbus Day and that he would like to recommend moving the meeting to Tuesday, October 9, 2012. Motion was made by Clark and seconded by Johnson to approve the consent agenda with the change of moving the next regular council meeting to Tuesday, October 9, 2012. 5 ayes.

Item 6 on the agenda was to discuss and approve closure of the old "Wagon Bridge" per the request of the County Engineer. Mayor Fetter stated that this has been ongoing for a number of years, and the bridge has deteriorated. He said that currently the city and the county are each responsible for half of the upkeep. The county has requested that they would like to close it on their side, so this would close the whole bridge. Public Works Director, Scott Muxfeldt stated that the bridge has been closed for several years, and it is set up with the county that the city employees can cross the bridge in emergency situations only. He doesn't feel it's going to be a big detriment to the community if they close the bridge permanently because they are looking at some other alternatives to be able to access that area. Johnson asked if the bridge has had further deterioration since this issue came up four years ago. Mr. Muxfeldt stated that the flood probably didn't do it a lot of good, but it survived it. Carl (Bucky) Hughes brought up several concerns about closing the bridge and not having an alternate route if something were to happen to the viaduct. Mayor Fetter stated that they are not requesting that we take the bridge out, but to do so would cost \$15,000 to \$20,000. It was decided that the council would like to have the County Engineer, Tom Stoner, attend the next meeting.

The next item on the agenda was to discuss and approve the Police Operating Procedures Manual. The council has read through the manual. Foutch confirmed that this is an operating manual for the department and asked if it aligns with the employee handbook. Chief Smith stated that it does, and the handbook tells them what process they have to use for any type of discipline. Motion was made by Foutch and seconded by Crum to approve the Police Operating Procedures Manual. 5 ayes.

Agenda item 8 was to discuss having Data Technologies representative, Janon Douglas, help with the Street Road Use Report, Annual Report, bank statements and various other items. Data Tech has the city's software. It would cost \$550 per day plus expenses. Mayor Fetter recommended that we do this right now because we won't get the Street Road Use money until the report is in, and the Annual Report is due on December 1st. Motion was made by Johnson and seconded by Clark to approve having Data Technologies representative, Janon Douglas, help with the Street Road Use Report, the Annual Report, bank statements and various other items. Foutch stated that for the business continuity of the city, we have to not continue to look at band-aid fixes. He said we really need to move forward and put a solution in place to hire somebody to fill the open City Clerk/Administrator role. He stated that we need to make a good long term decision. He said he reviewed the applicants, and he wanted to keep all options open, including reinstating Angela Winther as an option as well. He stated that we have to put some closure to this, we have to move on, we have to sustain the continuity and run the city like it should be run. 5 ayes.

Next on the agenda was to discuss and approve the Iowa Department of Administrative Services doing an energy audit. Mayor Fetter stated that they would help us to find ways to save money through updates on light fixtures, furnaces, etc. He said if we wanted to do something and wanted to borrow the money cheap, we could borrow it from them. He stated that as long as we are saving 20%, we can borrow the money for 1% from their department. There is no cost for this service whether we do anything or not. Motion was made by Foutch and seconded by Crum to approve the Iowa Department of Administrative Services doing an energy audit. 5 ayes.

Item 11 on the agenda was an update on hiring a new police officer. Chief Smith stated that we are in the testing phase right now and are waiting for results. There are twenty-two applicants, and one is being tested.

Agenda item 12 was an update on the CDBG Housing Grant. A meeting was held two weeks ago, and bids were approved on the first two houses to be done. There were additional houses and other requests so they were able to make sure they have ten houses on the list, which is a requirement. The construction should be starting soon, and they will select a couple more houses for bids.

Citizens questions/comments. Nedra Fliehe asked for an update on the reinstatement of Angela Winther and when a decision will be made on the closed session meeting. She stated that the city is falling farther and farther behind on several important reports which generate revenue for the city. She said the city would save a few thousand dollars if they reinstated Angela because she knows how to do these reports. Gordon Fliehe stated that this is all very upsetting, and he questioned the council on the legality of the meeting they held when they fired Ms. Winther. Jim Ettleman stated that Johnson removed Nedra Fliehe from the agenda based on the attorney's advice. He said that the council did not follow the attorney's advice when it came to dismissing a city employee, but when it

comes to silencing a citizen, it is valid advice. He also stated that the council went into closed session on a motion to discuss the reinstatement of Angela Winther. Since then, there was no motion and no discussion. He asked if they decided in closed session not to reinstate her. He also talked about the cost of not reinstating Angela with regard to litigation, Street Road Use money and other business that the citizens warned them to get on top of sixty-three days ago. He stated that this type of leadership is no longer wanted in this town and asked for their resignations. Andrew Francis discussed termination of employees with Foutch and his involvement during his tenure as mayor. He also discussed city business, with regard to revenue, that is not getting done.

CLAIMS

AFLAC	INSURANCE	\$49.56
ALAMAR UNIFORMS	EMBLEM	\$25.00
R.C. ANDROY	HOSE HANGERS	\$64.20
ELECTRIC PUMP INC	SERVICE AGREEMENT	\$958.85
FIRST NATIONAL BANK	PAYROLL TAXES	\$2,761.91
GARY NORDBY	AERATE/FERTILIZE CITY HALL	\$420.00
LOIS HALL	CONTRACT SERVICE	\$468.94
HARRISON CO E911 BOARD	12/13 IOWA SYSTEM	\$350.00
HARRISON CO ENGINEER	INSTALL PUSH BAR POLICE	\$40.00
HARRISON CO. R.E.C.	UTILITIES	\$180.69
IOWA ONE CALL	LOCATES	\$21.60
I P E R S	IPERS	\$3,751.52
LOGAN HERALD OBSERVER	PUBLISH	\$500.08
POSTMASTER	POSTAGE	\$282.00
PRINCIPAL LIFE	INSURANCE	\$95.95
LAW OFFICE OF AARON RODENBURG	LEGAL FEES	\$7,693.00
SECRETARY OF STATE OF IOWA	NOTARY FEE/GRABER	\$30.00
SOLUTION ONE	TONER	\$96.50
TREASURER, STATE OF IOWA	PAYROLL TAXES	\$1,183.00
TRUE NORTH	INSURANCE	<u>\$2,486.48</u>
	TOTAL	\$21,459.28
	PAYROLL THRU 9/21/12	<u>\$9,471.90</u>
	PAID TOTAL	<u>\$30,931.18</u>
FUND SUMMARY	GENERAL FUND	\$18,836.55
	ROAD USE	\$2,619.81
	TRUST AGENCY	\$1,149.35
	WATER	\$4,753.30
	SEWER	<u>\$3,572.17</u>
		<u>\$30,931.18</u>

Motion was made by Crum and seconded by Clark to adjourn. 5 ayes.

Marilyn Keizer, Deputy City Clerk
Attest: Randy Fetter, Mayor